Annual Report

YEAR ENDED MARCH 31, 1983

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Alberta
ATTORNEY GENERAL

Alberta

ATTORNEY GENERAL AND
GOVERNMENT HOUSE LEADER

Office of
the Minister

403/427-2339

227 Legislative Building
Edmonton, Alberta, Canada
T5K 2B6

May 15, 1984

The Honourable G. Amerongen,
Speaker,
Legislative Assembly of Alberta,
325 Legislature Building,
Edmonton, Alberta.
T5K 2B6

Dear Mr. Amerongen:

I have the honour to submit the Annual Report of the Department of the Attorney General for the year-end March 31, 1983.

Respectfully submitted,

Neil Crawford

Neil Crawford, Q.C.
Attorney General

Alberta

ATTORNEY GENERAL

Office of
the Deputy Attorney General

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9833-109 Street
Edmonton, Alberta, Canada
T5K 2E8

May 7, 1984

The Honourable Neil Crawford, Q.C.,
Attorney General of Alberta,
227 Legislature Building,
Edmonton, Alberta
T5K 2B6

Dear Sir:

I am pleased to present the ninth Annual Report of the Department of the Attorney General for the fiscal year April 1, 1982 to March 31, 1983.

The administration of justice in Alberta is well served, due, in great measure, to the department's dedicated and competent employees.

Respectfully submitted,

D.G. Rae
A/Deputy Attorney General

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THE ADMINISTRATION OF JUSTICE IN ALBERTA

Duties of the Attorney General

Courts in Alberta

The Attorney General Of Alberta: Duties And Responsibilities

Since Confederation, the provincial departments of the Attorneys General have, in practice, "administered justice" in the broadest sense, irrespective of whether the laws being administered fell legislatively within the purview of provincial legislatures or the federal Parliament. This is reflected in the provision of police services and enforcement agencies responsible to the provincial Attorneys General for the investigation, detection and control of crime within the respective provinces and in the maintenance of staffs for the prosecution of all types of infractions, whether within the purview of provincial legislatures or the federal Parliament. In this way the provinces have perpetuated since Confederation the comprehensive powers in the administration of justice which they enjoyed and exercised in pre-Confederation times and which the framers of the British North America Act would seem to have intended them to continue to have. Explaining the British North America Bill in the British Parliament, the Earl of Carnarvon stated on 19th of February 1867:

'To the Central Parliament will also be assigned the enactment of criminal law. The administration of it indeed is vested in the local authorities; but the power of general legislation is properly reserved for the Central Parliament.'

In keeping with the exclusive power given to the provinces by the BNA Act in relation to certain matters, Alberta passed in 1905 the first Attorney General's Act which is found in the present-day statutes of Alberta in substantially the same form as it appeared in 1905. Section 3 of that Act deals in a more complete way with the scope of the responsibilities of the Attorney General of Alberta, giving due emphasis to functions performed by the Civil Law Division, Court Services, and the Criminal Justice Division, as well as the Public Trustee, the Inspector of Land Titles, the Chief Medical Examiner, Legislative Counsel, the Director of Legal Research and Analysis and the Constitutional Law Section. Section 3 sets out specific responsibilities which are not to be taken as exhaustive.

Section 3 is set out below:

3. The Attorney General shall

(a) be the official legal advisor of the Lieutenant Governor.

(b) ensure that public affairs are administered according to law.

(c) superintend such matters relating to the administration of justice in the Province as are within the powers or jurisdiction of the Legislature or Government of the Province.

(d) advise on Legislative acts and proceedings of the Legislature of the Province and generally advise the Crown on matters of law referred to him by the Crown.

(e) exercise the powers and is charged with the duties attached to the office of the Attorney General of England by law or usage insofar as those powers and duties are applicable to Alberta.

(f) advise the heads of the several departments of the Government on matters of law connected with them respectively.

(g) settle instruments issued under the Great Seal of the Province.

(h) regulate and conduct litigation for or against the Crown or a public department in respect of subjects within the authority or jurisdiction of the Legislature.

(i) be charged generally with such duties as may be at any time assigned to the Attorney General of the Province by law or by the Lieutenant-Governor-in-Council, and

(j) be responsible for the conduct of the matters hereinafter set out, the enumeration of which shall not be taken to restrict the general nature of any provision of this Act.

(i) Repealed 1973, c. 67, s. 5(b).

(ii) the supervision of the administration of the law governing titles to real property in the Province,

(iii) the recommendation of the appointment of and the giving of advice to sheriffs, registrars, judical officers, justices of the peace, coroners, notaries public and commissioners for oaths,

(iv) the consideration of applications for bail and attendance thereon,

(v) the consideration and argument of appeals from convictions and acquittals of persons charged with indictable offences,

(vi) the hearing of applications for the granting of fiats regarding petitions of right, criminal informations, indictments, actions to set aside Crown patents, actions to recover fines and penalties and other actions of a similar nature,

(vii) the consideration of applications for the remission of fines and penalties,

(viii) the appointment of counsel for the conduct of criminal business,

(ix) the arrangement of the sittings of the courts of justice in the Province and the regulation of the work of official court reporters,

(x) the supervision of the offices of the courts of law in the Province,

(xi) the examination of papers in connection with the admission and discharge of lunatics to and from asylums,

(xii) the consideration of proposed legislation and other matters of a public nature and,

(xiii) the drawing of special conveyances and instruments of a similar nature relating to the sale or puchase of property under any Act relating to public works or otherwise.
(R.S.A. 1970, c. 95, s. 3; 1973, c. 67, s. 5)

It has been the custom for the Lieutenant-Governor-in-Council to appoint the Deputy Attorney General of Alberta as inspector of Legal Offices.

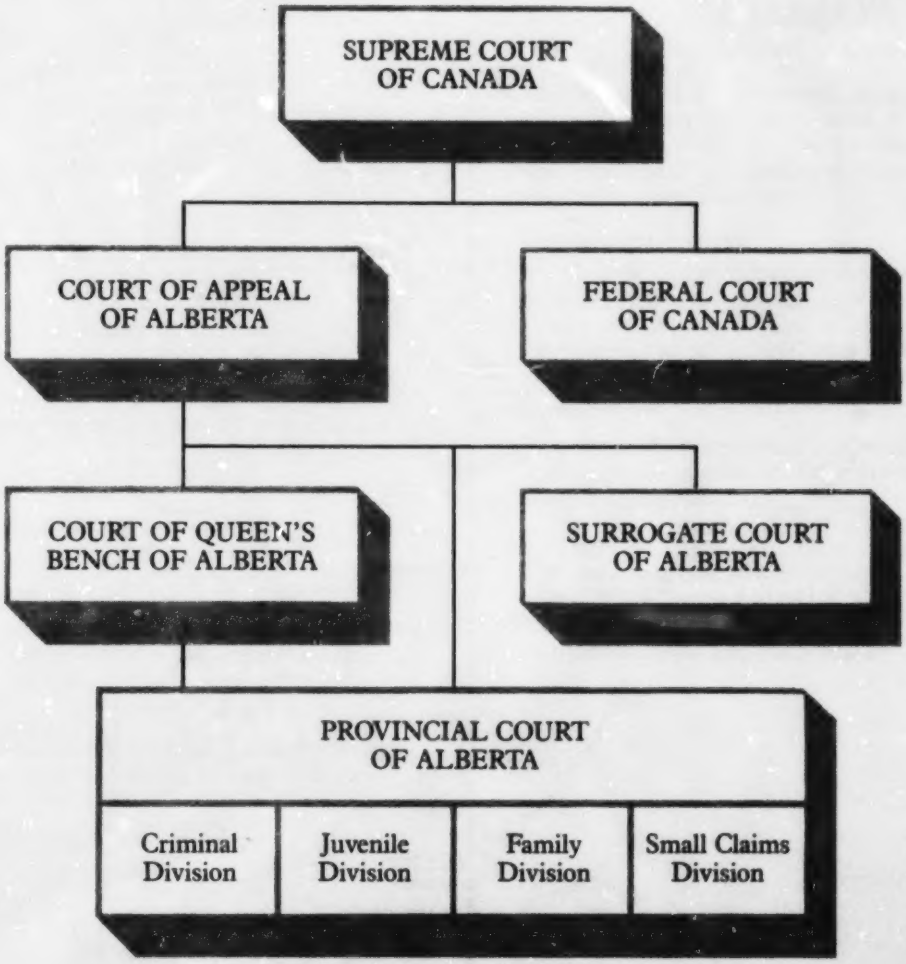
Courts In Alberta

There are four courts in Alberta, all constituted by provincial statute and administered by the Attorney General of Alberta:

The Court of Appeal of Alberta
The Court of Queen's Bench of Alberta
The Surrogate Court of Alberta
The Provincial Court of Alberta

In addition, registries are maintained by the Attorney General's staff for the Federal Court of Canada in Alberta.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal for the courts of provincial jurisdiction.



JUDICIAL DISTRICTS
PROVINCE OF ALBERTA

..... JUDICIAL BOUNDARIES

COURT OF APPEAL OF ALBERTA

Chief Justice of Alberta: Wm. A. McGillivray

The Chief Justice presides over the Court of Appeal of Alberta. In addition to the Chief Justice, this court consists of nine Justices of Appeal appointed by the Governor-General-in-Council. The Court hears appeals, usually in panels of three justices, from all courts in the Province of Alberta and the Northwest Territories. Its decisions may be appealed to the Supreme Court of Canada in Ottawa.

Appointments

No new appointments were made to the Court of Appeal during this year.

Caseload Statistics

The number of civil appeals filed during the year increased by 10 per cent to 746 from 680. The number of civil appeals heard decreased by seven per cent to 291 from 312.

The number of criminal appeals filed increased by six per cent to 1,201 from 1,136 and the number of criminal appeals heard increased by 47 per cent to 1,526 from 1,035.

COURT OF QUEEN'S BENCH OF ALBERTA

Chief Justice: W.R. Sinclair

The Chief Justice presides over the Court of Queen's Bench of Alberta. In addition to the Chief Justice, the court consists of an Associate Chief Justice and 45 justices.

Appointments

During this fiscal period, three new justices were appointed.

Caseload Statistics

Increases were experienced in a number of areas in the Court of Queen's Bench, including the number of criminal trials heard, which increased by seven per cent to 2,828 from 2,653.

Decreases were experienced in the number of civil trials and Summary Conviction appeals. Statistical details are provided in Table 1 on page 25.

SURROGATE COURT OF ALBERTA

Chief Justice: W.R. Sinclair

The Surrogate Court is a court of record. It has jurisdiction in relation to testamentary matters and in the issuing of grants of probate and administration. It also has jurisdiction in matters related to the appointment of guardians and to the person and property of children under guardianship.

The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of the Surrogate Court. The Court of Queen's Bench exercises the jurisdiction given to the Surrogate Court.

THE PROVINCIAL COURT OF ALBERTA

Chief Judge: C.A. Kosowan

The Provincial Court exercises both civil and criminal jurisdiction: civil by virtue of Part 4 - The Provincial Court Act, and The Landlord and Tenant Act; and criminal by virtue of the Criminal Code and a variety of provincial statutes.

Judicial Appointments

Four judges were appointed by the Lieutenant-Governor-in-Council, one for each of the Criminal, Family and Juvenile and Small Claims divisions in Edmonton, and one for the Small Claims division in Calgary. An additional Supernumerary Provincial Judge was appointed.

As a result, the complement of judicial appointments consists of 102 permanent, three supernumerary and two per diem positions.

Caseload Statistics

The number of docketed cases increased by three per cent to 558,980 from 540,442. ("Docketed" cases are the new cases brought before the Provincial Court for disposition during a calendar year.)

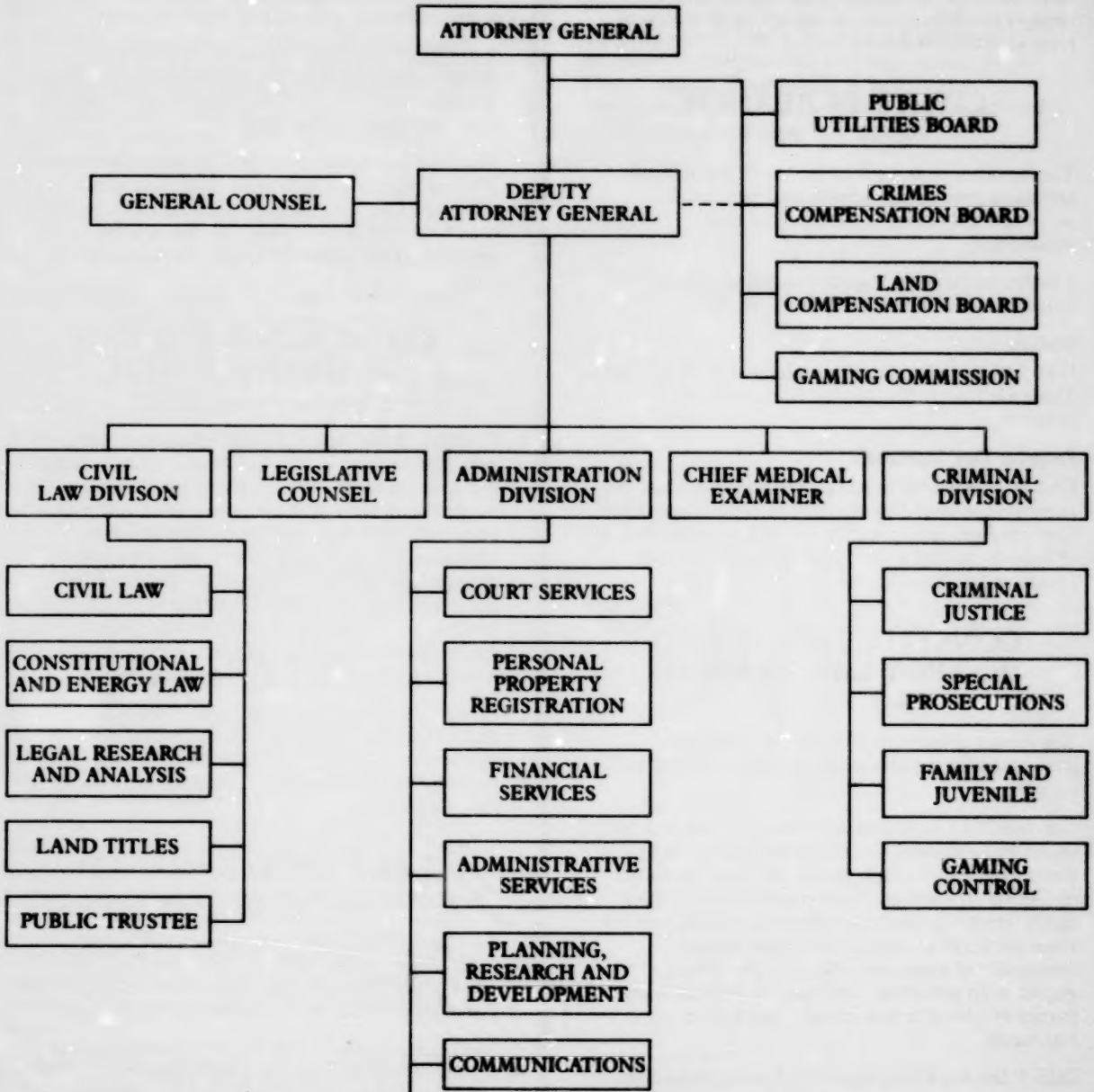
THE DEPARTMENT OF THE ATTORNEY GENERAL OF ALBERTA

Organizational Chart

Division Reports

- Civil Law
- Criminal Law
- Administration
- Special Sections
- Boards and Agencies

Organizational Chart



Civil Law Division

Assistant Deputy Minister: D.G. Rae

The office of Assistant Deputy Minister (Civil) is responsible for the administration of the civil legal areas of the department, including the provision of legal advice to the Crown.

CIVIL LAW BRANCH

Director: J.E. Klinck

The branch acts as legal advisor to all departments, and many government boards and agencies. It represents the Crown in all courts of civil jurisdiction.

Lawyers in the branch act as counsel in public inquiries under The Fatality Inquiries Act.

Staffing

Civil Law has a legal staff complement of 50 lawyers. There are five students-at-law in the articling program.

Program Development

Civil lawyers attend in-service training programs and seminars sponsored by the Alberta Government Civil Lawyers Association and the Legal Education Society of Alberta, as well as meetings of the Alberta and Canadian Bar Associations.

CONSTITUTIONAL AND ENERGY LAW BRANCH

Director: N. Steed

The branch gives legal advice to the provincial government on matters involving constitutional and energy law.

Constitutional issues involve all fields of law and are varied and complex. Branch lawyers appear in courts throughout the province and in the Supreme Court of Canada on cases involving constitutional or civil rights issues. The Attorney General must be notified when parties to a court action intend to raise constitutional arguments. He may then elect to appear as an intervenant in legal proceedings where parties to a court action intend to raise these arguments.

Branch lawyers also appear with Crown counsel on criminal cases where the validity of a section of the Criminal Code of Canada is challenged on the basis that it will violate the Charter of Rights and Freedoms or the Canadian Bill of Rights.

Lawyers in the branch are required to prepare legal opinions and to work on intergovernmental or interdepartmental committees dealing with the constitutional validity of both exisiting and contemplated federal and provincial laws. The energy field has received much attention because of its importance to Albertans and Canadians.

Members of the branch are called upon to speak to groups both inside and outside the government on matters of concern in areas of their expertise.

During this past year, they were involved in discussions concerning the application of the Charter of Rights and Freedoms and other parts of the Canadian Constitution 1982.

Since the proclamation of the Canadian Constitution 1982 on April 17, 1982, many cases have arisen where the Charter of Rights and Freedoms has been used to challenge legislation. The branch has represented the Alberta Attorney General in these cases.

LEGAL RESEARCH AND ANALYSIS BRANCH

Director: E.F. Gamache, Q.C.

The branch researches and analyzes statute law, judicial decisions and legal periodicals, and provides the Attorney General and the Deputy Attorney General with legal advice on law reform and policy planning. Staff now serve on interdepartmental committees studying law reform, professions and occupations, the joint Alberta Government/Law Society committee for law libraries in Alberta, the Institute of Law Research and Reform, and the Uniform Law Conference of Canada. The branch maintains liaison with other law reform bodies.

During the year, it developed legislation relating to chattel security registries and the Provincial Court. It was also involved with research projects in personal property security, builders' liens, law of property and judicial reviews.

LAND TITLES BRANCH

Inspector of Land Titles Offices: D.M. Lamont, Q.C.

Alberta is divided into two land registration districts at the 9th correction line, south of Innisfail. The Land Titles Office for the south is in Calgary and the Land Titles Office for the north is in Edmonton.

Each office is responsible for the examination and registration of land-related documents, issuance and updating of titles, custody of original documents and titles, and provision of searches of both titles and documents to the public.

Public Service

The volume of registration of documents and plans showed a slight drop over the previous year; however, as reported in Table 2 on page 26, such services as tax recovery notices and copying titles and documents showed an increase. Special tours of the Land Titles Offices were held for groups and clients.

Systems Development

The Alberta Land Titles Automation Project (ALTA) commenced in early 1982, with the initial objective of preparing the preliminary requirements definition for a provincial land titles data base system. It is anticipated that automation will improve office efficiency and enhance service, especially to remote users.

In addition, automation of records will contribute to the achievement of a provincial government network of land-related information systems. The two stages of the project now complete are the systems requirements definition and the system design alternatives phases.

PUBLIC TRUSTEE BRANCH

Public Trustee: L.W. Gardiner, Q.C.

The Public Trustee protects the assets and financial interests of disadvantaged persons by acting as:

1. Guardian of the estates of children under 18 years of age, and missing persons;
2. Trustee of the estates of dependent adults who are legally unable to handle their own business affairs by reason of mental or physical disability;
3. Administrator of the estates of deceased persons who die intestate having no relative in the province, or where the next of kin are not prepared to administer the estate and request the Public Trustee to act.

Guardianship administrations increased by 10.7 per cent to 1,282 from 1,158 administrations. In the majority of cases, each administration involved a number of children who had individual interests in the estate of a deceased person. Many trusts were also opened for minors who received personal injury accident awards under court orders or settlements resulting from legal actions where the death of a parent resulted from the negligence of a third party. Accountings were made to minor beneficiaries as they attained 18 years of age and assets held in trust by the Public Trustee were delivered to them.

There was 32.8 per cent increase to 413 from 311 in new administrations opened by the division responsible for the protection of dependant adult estates.

Deceased estate administrations decreased by 1.7 per cent to 742 from 755. New procedures were negotiated with Revenue Canada in an attempt to reduce the delays in obtaining income tax clearance on deceased estates and thus speed up final distribution to beneficiaries.

New trust administrations increased 9.6 per cent to 2,437 from 2,224 . There were 14,121 administrations in process as of March 31, 1983, compared to 13,966 at the beginning of the fiscal year. The trust balance sheet, shown in Table 3 on page 27 provides a comparative analysis of assets and liabilities of estates and trusts under direct administration by the Public Trustee.

Cash deposits to Public Trustee bank accounts increased by 39.9 per cent to $202.6 million from $144.8 million. Trust assets, as recorded for administrative purposes, increased by 14.6 per cent to $138.9 million from $121.2 million.

Criminal Law Division

Assistant Deputy Minister - D.W. Perras

During this fiscal year a further organizational change was completed. The division now encompasses the Family and Juvenile branch, which joined the Criminal Justice, Special Prosecutions, and Gaming Control branches.

The division's permanent staff, as of March 31, 1983, numbered 224: Criminal Justice (188), Special Prosecutions (9), Family and Juvenile (12), Gaming Control (35).

CRIMINAL JUSTICE BRANCH

The branch is responsible for providing prosecution services in all levels of court.

To discharge the responsibility, Senior Agents' offices are located at Calgary, Edmonton, Lethbridge, Medicine Hat, Red Deer, Wetaskiwin, Vegreville, St. Paul, Hinton, Grande Prairie, and Peace River. Other Crown Counsel offices are located at Fort McMurray and Drumheller.

Policy and procedures to be applied throughout the province by prosecutorial staff are developed at the head office in Edmonton.

The branch also provides advice to Criminal Division staff on budgeting, personnel, equipment and facilities management, and data processing.

The Board of Review handles Lieutenant-Governor's Warrants issued under Sections 544, 546, and 547 of the Criminal Code. Through appointment by the Lieutenant-Governor-in-Council, the five members and two alternates review reports on each person held in custody under a Lieutenant-Governor's Warrant.

SPECIAL PROSECUTIONS BRANCH

The branch provides expertise in handling prosecutions involving commercial or corporate criminal incidents of a complex nature, cases involving organized criminal activity where a number of jurisdictions are involved, and those criminal matters where there is a major involvement of a provincial government agency or employee.

FAMILY AND JUVENILE BRANCH

The branch came into existence on April 13, 1982 and is responsible for the administration of juvenile justice. It handles prosecutions and other legal procedures through application of the following statutes:

- The Criminal Code
- The Juvenile Delinquents Act
- Child Welfare Act
- Maintenance and Recovery Act
- Social Development Act
- Reciprocal Enforcement of Maintenance Orders Act
- Domestic Relations Act
- Mental Health Act

An important aspect of the branch is the consolidation of administration of combined family and juvenile legal services within the department.

GAMING CONTROL BRANCH

During 1982, additional inspector positions from the Edmonton Investigation Unit were transferred to the Calgary office of the branch and given the responsibility for all investigations, field audits and inspections in the southern half of the province. This left the Edmonton Investigation Unit with similar responsibilities only for the northern half of the province and has resulted in better service to the public in both regions.

All applications for licenced gaming and all financial reports continue to be processed by the Licence Review and Audit Units at Edmonton.

A hearing process was established by the Alberta Gaming Commission giving all the organizations that are initially turned down for a licence an opportunity to make a presentation giving reasons why they should be licenced. Hearings are held regularly at Edmonton and Calgary to better accommodate groups from all areas of the province.

Administration Division

Assistant Deputy Minister: C.R. Shank

The office of Assistant Deputy Minister (Administration) is responsible for non-legal staff functions, and provides line management with advice, guidance and support in these matters.

COURT SERVICES BRANCH

Executive Manager: R.B. Dunster

The branch provides administrative support, including court reporters, justices of the peace, sheriff's services and law libraries, to all courts in the province.

Staffing

The position complement of Court Services increased at the start of the fiscal period by 44 positions. Fourteen positions were allotted to Calgary and 16 to Edmonton. The remaining 14 positions were distributed throughout Alberta. Late in the fiscal year, another nine positions were added to support the appointment of three Court of Queen's Bench justices.

Court Automation Project

Implementaion of the first phase of the Court Automation Project (CAP) continued. The first phase dealt with administrative and financial processing of voluntary payments on violation tickets.

The second phase of CAP, dealing with criminal case-tracking, continued under development and implementation. As of year-end, 21 court base-points have been implemented.

Court Reporting Systems

Transcript production statistics are compiled on a calendar year basis. During 1982, transcript orders totalled 1,097,601 pages, in contrast to 983,544 pages produced last year, 968,353 pages in 1980, and 844,237 pages in 1979.

Clerk of the Court

Caseload statistics for the Court of Queen's Bench for 1982-83 and the comparative information for 1981-82 are shown in Table 1 on page 25.

Law Libraries

The law libraries have experienced a dramatic increase in the level of service requested by members of the Bench and Bar. A total of 2,798 reference items were handled, a 50 per cent increase from the previous year. Circulation services loaned 16,796 items, a 68 per cent increase. Interlibrary loans totalled 1,135 transactions, a 106 per cent increase.

New facilities were completed and occupied as follows: Queen's Bench libraries - Grande Prairie, Lethbridge; Provincial Court Judges libraries - Fort Macleod, Peace River, Grande Prairie, Lethbridge. A legal reference library was established at Canmore, and a Provincial Court Judges library was established at Vegreville.

Sheriff's Office

The sheriff and sheriff's officers are responsible for the service of court orders and documents, including jury summonses and writs effecting seizures and evictions.

Activities are documented in Table 1 on page 25.

PERSONAL PROPERTY REGISTRATION BRANCH

Manager: P.J. Rose

Construction of the Central and Vehicle Registry Information System (CVRIS), commenced during the previous fiscal year, continued towards its scheduled implementation in early 1984.

This computer-based system will automate the registration and search activities of the branch. It will also gather and report statistical and accounting information which will provide input to the reconciliation of revenue collections and charges.

As a preliminary to CVRIS, conversion of active Central Registry records began during the year, resulting in 372,977 documents read to the computer tapes.

At year-end, the Chattel Security Registries Act was under consideration by the legislature. This act provides for registrations and searches in a computerized environment. In response to the decision in Chrysler Credit Canada Ltd. v. Red Deer Toyota Ltd., the branch began a phased implementation of effective dates on searches.

On April 15, 1982 the date was included on all Central Registry searches, on August 23, 1982 it was included in all Vehicle Registry searches involving aircraft, trailers, mobile homes, oilwell drilling equipment and rolling railway stock. Preparations now are being made to extend it to remaining searches in the Vehicle Registry.

Vehicle Registry

The Vehicle Registry records security interest documents and conducts searches on motor vehicles, aircraft, trailers, oilwell drilling equipment and rolling railway stock. During 1982-83, the Vehicle Registry registered 410,217 documents and conducted 418,556 searches. Compared to the previous year, this represents increases in both registrations and searches of 9.2 per cent and 16.8 per cent respectively.

Central Registry

The Central Registry records security interest documents and conducts searches on all chattels not recorded in the Vehicle Registry. In addition to personal property, it also registers items under the Partnership Act.

During 1982-83, 162,088 documents were registered and 105,217 searches were conducted, representing a decrease of 2.5 per cent in registrations and an increase of 17.5 per cent in searches from the previous year. In addition, 11,621 partnerships, limited partnerships and trade names were registered.

Details of the activities of the Central and Vehicle Registries during the fiscal period are provided in Table 4 on page 27.

FINANCIAL SERVICES BRANCH

Manager: D. Medwid

The branch provides a financial support and advisory service to the department.

Financial Planning

This section is responsible for providing continuous financial analysis of departmental operations and for preparation and presentation of the annual budgets.

Financial Operations

There are two operating units in this section, providing the departmental link for central processing of financial data:

1. Pay and Benefits. Coordinates commencements, terminations and changes in pay status for all departmental employees. Payroll costs for 1982-83 amounted to approximately $70 million, or 66 per cent of total departmental expenditure.

2. Revenue and Expenditures. Reports all departmental revenue collected by about 60 departmental operations throughout the province. Revenue for the year ended March 31, 1983 decreased by $5,560,486 to $56,037,801. Revenue details are provided in Table 5 on page 28. The expenditure unit processes all non-payroll costs. Expenditure details inclusive of payroll costs are shown in Table 6 on page 29.

Financial Systems

This section provides general financial advisory services to departmental managers and financial representation during the development of new or changing systems in the department.

Fines and Statistics

This section coordinates the collection and distribution of fines levied by the Criminal Division of Provincial Court. The fines levied are distributed to more than 350 municipalities and to the federal and provincial governments.

ADMINISTRATIVE SERVICES BRANCH

Manager: H.A. Brinton

The branch oversees general administrative functions.

Special Services

This section is responsible for methods and procedural studies, the analysis and design of departmental forms and reports, maintenance of the forms management program and the operation of a reprographics unit. Methods and procedures studies were conducted province-wide concerning judicial interim release. In addition, an evaluation program is on going at Edmonton and Calgary to measure the success of a number of changes made to the program. Studies were conducted in the Family and Juvenile Court at Edmonton.

Forms were developed for the computerization of the Central and Vehicle Registries, and the implementation of new forms and procedures for search warrants and informations used throughout the province.

Materials and Facilities

This section provides a central purchasing and supply function. It administers all facililty and accommodation projects for the department.

Major new courthouses were opened in Fort McMurray, Grande Prairie and Lethbridge during the fiscal year. New Provincial Court Circuit facilities were also completed in Bassano, Elk Point, Pincher Creek, Rimbey, Sundre and Tofield. The new Calgary Medical Examiner facility was completed near the end of the fiscal year.

Micrographic Services

This section provides microfilming, processing, editing and duplicating services to the department through laboratories in Calgary and Edmonton. A total of 7,439,321 camera exposures, creating micrographic records, were made last year. This was an increase of 292,274.

The ongoing special project to convert the old title book system in Edmonton was continued. During the fiscal year 4,093 books were microfilmed. Of the 7,300 books, 6,136 have been converted to date.

Official Documents and Appointments

This section administers the Provincial Secretary's Office. It is also responsible for processing appointments of Commissioners for Oaths and Notaries Public.

PLANNING, RESEARCH AND DEVELOPMENT BRANCH

Manager: J.G. Gallo

The branch provides planning and research services and coordinates the development and implementation of electronic data and word processing systems.

The Research and Analysis Section provides services to senior management and to the various divisions and branches of the department. The services include the planning, development and evaluation of projects, policies and programs; preparation of policy discussion papers and briefing materials; coordination of departmental analyses of various issues; management consulting and selected statistical research. During this fiscal period, such services have been provided in a number of areas, including the new young offenders legislation, innovative alternatives to the criminal justice system, victims of crime, witness management, the change in monetary jurisdiction in Small Claims Court, national justice statistics, impaired driving statistics, metric conversion, and management information and reporting systems.

The Systems Section is responsible for the planning and development of electronic data and word processing systems throughout the operating branches of the department.

Specific data processing projects are described within the submissions of the various operating divisions and branches including such projects as Court Automation, Central and Vehicle Registry, Medical Examiner, Public Trustee and various word processing systems.

COMMUNICATIONS BRANCH

Manager: A.G. Fraser

The branch provides public relations consultation and advice to the Deputy Minister and senior management, and an extensive range of public affairs services to the department.

The services include public relations, media relations and interviews; coordination of news conferences, media coverage, displays, and advertising; production of news releases and staff bulletins. Public information booklets, the department's annual report, and the Alberta Court Calendar are also produced.

News Media Services

Among the 97 news releases issued were 10 on behalf of the Attorney General, 79 for fatality inquiries, four for the Crimes Compensation Board, and four for the Public Utilities Board.

The branch also coordinated news media interviews for senior management and responded to over 1,500 media requests on a variety of issues.

Conferences and Seminars

In 1982-83, Communications coordinated the production of agendas, programs and papers for a number of seminars and conferences.

INTERNAL AUDIT BRANCH

Manager: E. Berg

The branch is concerned with the management control process and provides internal audit coverage of the department. Management is advised of program effectiveness and efficiency through an independent, systematic appraisal of departmental activities.

PERSONNEL SERVICES BRANCH

Manager: G.D. Dawson

The branch provides a full range of human resource services in the areas of recruitment and selection, classification, employee relations, and staff development.

Selection and Classification Section

Despite a lower staff turnover rate, recruitment activity was still brisk. Significantly greater numbers of qualified applicants applied on all competitions, resulting in a significant increase in time spent on screening and interviewing applicants.

With the increased number of qualified applicants, the department has been able to recruit to positions which were previously difficult to fill and, as a result of the lower turnover rate, a more stable workforce has developed.

In addition to the regular recruitment activities, the department continues to be actively involved in a number of specialized employment programs. In addition to the S.T.E.P. and P.E.P. programs designed to provide students and unemployed Albertans with work opportunities, the department has been involved in the special placements program through Social Services and has conducted specialized recruitment programs for students-at-law.

Employee Relations Section

Activity continued to center around routine contract interpretation, provision of advice on disciplinary action, and administration of the Long Term Disability Program.

Efforts to improve the labour relations climate in the department have continued through the provision of employee relations training for managers. The circulation of selected readings for managerial employees and the development of a supervisory handbook have further assisted these endeavours.

Staff Development Section

This section continues to provide a wide range of training opportunities for department employees, with a total of 47 department courses delivered to 530 participants.

A number of the department courses are of a general nature of interest to employees in all operational areas. Topics covered in these programs include Managing Human Resources; Counter Skills; Supervision; Telephone Techniques; Job Description Preparation; Preparation for Promotional Interviews; Department Orientation; Interpersonal Communications; and Employee Relations.

With the transfer of responsibility for para-legal training from Court Services to Personnel, the Provincial Court Training Program was fully upgraded and a new Queen's Bench para-legal program established. Other specialized programs delivered to Court Services' staff include Justice of the Peace training and Court Recording training.

In addition to courses developed and delivered at the departmental level, this section processed 180 applications for course subsidization involving training delivered outside the government and over 200 applications for in-service training delivered by Personnel Administration Office. A number of general interest noon hour sessions were also delivered during winter months.

Personnel Statistics

Please refer to Table 7 on page 29 for statistics on selection and classification transactions, and to Chart 1 on page 30 illustrating the department's manpower deployment by region.

LEGISLATIVE COUNSEL OFFICE

Legislative Counsel: P.J. Pagano

The office prepared 1,141 Orders in Council passed by Cabinet and drafted most of 483 regulations filed under the Regulations Act. As the Legislative Assembly did not sit in the fall of 1983, fewer bills were required; the Legislative Counsel Office drafted 41 public acts that received royal assent. In addition, a revision of the Alberta Regulations continued during the year.

OFFICE OF THE CHIEF MEDICAL EXAMINER

Chief Medical Examiner: Dr. J.C. Butt

The Chief Medical Examiner is based in Calgary with responsibility for the entire province. The northern region is administered by the Deputy Chief Medical Examiner in Edmonton.

Construction of the Calgary facility, incorporating office, morgue and toxicology laboratory, was completed. This facility complements a similar building completed in Edmonton in 1981.

Medical Examiner System

The Chief Medical Examiner investigates unexpected or unexplained deaths, including all unnatural deaths occurring in the province. These categories represent about 35 per cent of all Alberta deaths. The Fatality Inquiries Act requires the Chief Medical Examiner to issue certificates approving cremation, shipment out of province, or dissection under the Universities Act.

Approximately 160 medical examiners working on a fee-for-service basis conduct investigations. There are also three full-time forensic pathologists in the Office of the Chief Medical Examiner.

Education

The office continues to provide a medical education program. This is directed primarily to medical persons and police officers, and other personnel involved in the investigation of sudden death.

Public Inquiries

The Fatality Review Board is responsible for making the decision on whether to hold a public inquiry into a sudden death. The board is appointed by the Lieutenant-Governor-in-Council, and is composed of a lawyer, a physician and a lay person.

The Chief Medical Examiner is an ex-officio member of this board. Public inquiries are held before a Judge of the Provincial Court of Alberta. There were 74 inquiries in 1982, compared with 69 in 1981.

Death Notification

In the 1982 fiscal year there were 4,020 deaths investigated, compared with 4,049 in the previous period. Details of case-load volumes for 1982 are available in Table 8 on page 30.

Statistical Unit

This unit maintains a computer system containing case-file information from 1975 to 1982. Its primary function is to supply statistics to interested agencies. This information is of considerable value to government and private agencies with an interest in social and medical matters, particularly in the field of suicidal death.

Boards And Associated Agencies

CRIMES COMPENSATION BOARD

Chairman: B.V. Massie, Q.C.

Alberta's Crimes Compensation Board was established in 1969 to help victims of violent crime who suffer financial loss as a direct result of injuries.

During the last year, the number of applications for compensation was 405; 290 males, 115 females. Of the 405 applications, 361 were from individuals who had been injured and suffered loss; the remainder were for loss resulting from death, including claims for support by dependants. The board held hearings on 55 days during this year, 32 in Edmonton and 23 in Calgary.

The number of decisions made and recorded by the board totalled 443. Of these, 283 were final awards, 28 were refusals of the claims and the remainder were interim or supplemental awards. The total compensation ordered by the Board to be paid in the year was $724,551. Of this $134,177 was in monthly payments for continuing liability. The Board paid $101,021 in medical expenses, $86,618 in funeral expenses and payments to dependants, and $9,681 to lawyers representing claimants.

The most frequent crimes giving rise to application were:

Assault causing bodily harm	223
Robbery with violence	29
Wounding with intent	36
Murder	29
Attempted murder	29

Twenty-three crimes involved the use of firearms, while 42 involved the use of knives. Approximately one-quarter of the applications resulted from excessive use of alcohol.

Periodic Payments

The board remains confident that its power to make awards involving periodic payments to a victim, usually on a monthly basis, is a most valuable remedy.

A monthly payment involves an annual review by the board, when changes can be made as circumstances change. Over an extended period, the total of monthly payments may well equal the amount the civil courts might have awarded by way of damages. Several applicants would have been entitled to social assistance but the payments by the board correspond more closely to the earnings they have lost as a result of a violent crime. At present 34 victims are receiving monthly payments, ranging from $50 to $2,300.

Pain and Suffering

The power of the board to award compensation for what is termed pain and suffering is limited, both in circumstance and amount. The total paid last year was $45,700 which compares with $37,950 paid the previous year. The scale of these awards is well below that of comparable awards in the civil courts and if payments by the board were brought into line with those by the civil courts, the cost of the scheme would be greatly increased.

LAND COMPENSATION BOARD

Chairman: K.J. Boyd

The Land Compensation Board began the fiscal year with 94 active cases in its docket. During 1982 it received 225 additional applications, of which 206 were applications to determine compensation and 19 were applications by way of notice of motion asking the Board to decide issues arising out of expropriation procedures. The board was also required to act as approving authority for one expropriation.

The board heard 33 cases during 1982 and issued 21 orders determining final compensation for expropriated property, eleven orders on notices of motion and one certificate of approval authorizing expropriation. One hundred forty-six cases were settled by the parties without need of formal hearings before the board. At the end of the year, 140 active cases remained in the docket.

All decisions of the board are given in writing, with reasons. Copies of each decision are filed with provincial courthouses and the law libraries of the University of Alberta and the University of Calgary. The board provides free copies of specified decisions on request.

The board consists of five members: a chairman, one full-time member and three part-time members. The board has a support staff of five.

ALBERTA GAMING COMMISSION

Chairman: D.I. Gardner

Established in January, 1981 as the provincial licencing authority for lottery schemes under the Criminal Code, the Alberta Gaming Commission licences bingos, casinos, raffles and pull-ticket sales conducted by charitable or religious organizations for charitable or religious purposes.

Additionally, the seven-member commission is responsible for reviewing gaming policy, providing information on licenced gaming to the public, and advising volunteer groups.

Where concerns or uncertainties are identified in the review of an application, the commission provides the opportunity for representatives of the applicant to appear at one of its regular public hearings. After considering all presentations and evidence appropriate to the application, the commission issues a licencing decision, with reasons.

The commission publishes and distributes an annual review summarizing each year's activities, including new developments and licenced gaming statistics for Alberta.

LEGAL AID SOCIETY OF ALBERTA

Executive Director: B.J. Cavanaugh

The Legal Aid Society provides legal services in criminal and civil matters to financially eligible applicants.

In criminal cases, coverage is available for all indictable offences, and for summary conviction offences where imprisonment or loss of livelihood is likely upon conviction. Civil cases are covered where there is merit or likelihood of success. Divorce-case services are included in circumstances of compelling need. Where possible, clients contribute toward the cost of providing legal services and efforts generally are made to recover expenditures.

The society's executive director, and the southern and northern directors are members of the Law Society, and the finance director is a accountant. Policy is established by the society's Board of Directors, subject to approval by the Law Society of Alberta. The board is, by agreement, responsible to the Law Society for the provision of legal aid. The Board of Directors has 15 members, representing the Law Society, the provincial and federal governments and the public.

Funding

The Legal Aid Society received $9,147,753 from the Government of Alberta, which will recover a portion of this amount from the Government of Canada.

Activity

In 1982-83, the society received 28,012 applications for legal aid services, an increase of 22 per cent over the previous year. Over the same period, applications approved for services increased by 11.3 per cent to 17,267 from 15,508.

Service and Tariff

All client service and legal assistance is provided by members of the Law Society in private practice. They are appointed by the society to represent a specific client and act on a tariff of fees which seeks to represent one-third to one-half of normal private fee ranges. Participation under the tariff represents the substantial contributions of the private Bar to the provision of legal aid. This tariff was increased by six per cent during this year.

Receipts, Disbursements and Cost Factors

For the fiscal year 1982-83, the Legal Aid Society received $9,147,753, comprised of $8,283,999 from government, $604,457 from client and other recoveries, and $259,297 from interest and sundry sources. Disbursements in the period totalled $9,466,882. Of that amount, 76 per cent, or $7,188,642, was accounted for by legal fees and disbursements. Salary and fringe benefit costs were 19 per cent and administrative costs five per cent of disbursed funds.

Recoveries of $604,457 showed a decline of 1.9 per cent. The average cost per case in criminal matters was $412, an increase of 25.6 per cent, and there were 12,795 such cases completed.

Average cost per case in civil matters was $378, an increase of 18.13 per cent, with 3,714 cases completed. The duty counsel program assisted 15,485 persons on a recorded basis, a decrease in activity of 3.2 per cent at a cost of $37.48 per case.

APPENDICES

Statistical Tables
- Court of Queen's Bench
- Alberta Land Titles Office
- Public Trustee
- Property Registration
- Financial
- Personnel
- Chief Medical Examiner

Staff Distribution Chart

Acts Administered

Table 1

Court of Queen's Bench of Alberta
Caseload Statistics for Year-End March 31, 1983

Civil and Criminal Cases	1982-83	1981-82
Civil actions commenced (excluding divorce)	93,830	75,312
Civil trials heard (excluding divorce)	1,502	1,658
Petitions for divorce commenced	11,133	11,460
Decree nisi granted	8,742	8,622
Criminal trials heard	2,828	2,653
Summary conviction appeals filed	1,202	1,295
Summary conviction appeals heard	1,120	1,300
Sheriff		
Writs of execution filed	38,082	28,634
Distress warrants filed	24,272	20,114
Seizure activities	31,409	29,345
Process served	32,496	29,549

Table 2

Activities of the Alberta Land Titles Office
For Year-End March 31, 1983

Type of Activity	1982-83	1981-82
Document Registrations		
Transfers	101,892	131,720
Mortgages	74,290	91,241
Caveats	87,214	86,320
Liens	16,774	13,488
Discharges	159,876	148,025
Easements & utility rights-of-way	9,859	11,829
Miscellaneous	68,999	63,416
Total	**518,904**	**546,039**
Survey Plan Registrations		
Subdivision Plans	1,420	1,716
Condominium Plans	201	198
Road Plans	1,078	786
Right-of-Way Plans	1,932	2,495
Others	263	323
Total	**4,894**	**5,518**
Tax Recovery		
Titles Endorsed	10,614	8,816
Tax Notices Issued	26,390	24,039
Certificates of Titles Issued		
On Transfers	111,240	158,018
On New Subdivision Plans	14,425	25,927
On New Condominium Plans	10,320	7,317
Total	**135,985**	**191,262**
Services		
TWX Searches	101,209	142,773
Telephone Searches	53,392	55,741
Photocopies of Titles & Documents (Single-sided pages)	5,526,417	5,133,396
Microfilm Copies	1,614,036	1,285,343

Table 3

Public Trustee
Trust Balance Sheet
For Year-End March 31, 1983

Assets		1982-83	1981-82
	Estate and beneficiaries assets		
	Consolidated investment fund	—	—
	Cash in trust bank accounts	$ 45,777,735	$ 25,694,620
	Fund investments	46,751,760	47,511,114
		92,529,495	73,205,734
	Other estate assets		
	Direct investments	35,049,668	38,402,761
	Accounts and rent receivable	1,226,666	890,053
	Mortgages, agreements and notes receivable	1,536,241	1,961,775
	Real estate	7,731,162	6,025,155
	Miscellaneous assets	816,603	729,552
Total		$138,889,835	$121,215,030
Liabilities			
	Estate and beneficiaries liabilities		
	Advances due to the Provincial Treasurer	$ 19,651	$ 8,537
	Accounts payable	1,692,492	956,030
	Mortgages and Agreements payable	1,014,068	554,323
		2,726,211	1,518,890
	Estate and Beneficiaries Capital	136,163,624	119,696,140
Total		$138,889,835	$121,215,030

Table 4

Personal Property Registration Branch
Activities of the Central and Vehicles Registries
for Year-End March 31, 1983

	1982-83	1981-82
Documents registered		
Central	162,088	166,263
Vehicle	410,217	375,601
Trade name and partnerships	11,306	11,438
Limited partnerships	315	513
Amendments to limited partnerships	597	612
Seizure notices	7,214	4,943
Encumbrance searches		
Central	105,127	89,459
Vehicle	418,556	358,483

Table 5

Financial Services
Statement of Expenditures for Year-Ended March 31, 1983

		1982-83	1981-82	Increase (Decrease)
Payments from Government of Canada:				
	Legal Aid	$ 2,623,040	$ 2,477,858	$ 145,182
	Other	225,000	233,772	(8,772)
		2,848,040	2,711,630	136,410
Fees, Permits and Licences:				
	Land Titles	21,365,030	26,765,098	(5,400,068)
	Clerks of the Court Act	3,710,567	3,616,414	94,153
	Public Trustee Act	2,123,567	1,762,797	360,770
	Registrar's Assurance Fund (1)	1,700,258	1,395,991	304,267
	Sheriff's Act	1,637,620	1,345,118	292,502
	Central Registry	1,378,986	1,077,480	301,506
	Lottery Licenses	1,330,827	1,165,360	165,467
	Other	281,276	249,112	32,164
		33,528,131	37,377,370	(3,849,239)
Other Revenue:				
	Refunds of expenditure:			
	Salaries and expenses	119,659	138,387	(18,728)
	Previous years' refunds	97,621	69,068	28,553
	Fines and penalties:			
	Federal statute fines	9,388,908	10,754,113	(1,365,205)
	Provincial statute fines	9,220,441	9,901,183	(680,742)
	Miscellaneous	835,001	646,536	188,465
		19,661,630	21,509,287	(1,847,657)
Total Revenue		$ 56,037,801	$ 61,598,287	$ 5,560,486)

(1) Assurance fund surplus subject to transfer to Treasury.

Table 6

Financial Services
Statement of Expenditures for Year-Ended March 31, 1983

	1982-83	1981-82	Increase (Decrease)
Minister's office	$ 168,299	$ 161,407	$ 6,892
General administration	7,082,826	6,762,668	320,158
Court support service	7,189,833	6,021,798	1,168,035
Court operations			
Calgary	12,157,670	11,281,424	867,246
Edmonton	14,059,684	12,940,208	1,119,476
Other locations	14,079,134	12,810,331	1,268,803
Crown counsel	10,633,212	8,283,871	2,349,341
Civil Law Division	5,769,589	5,222,699	546,890
Gaming Control	1,170,029	1,111,254	58,775
Other legal services	2,407,721	2,206,277	201,444
Legal Aid plan	8,811,522	5,413,000	3,398,522
Public Trustee	4,428,726	3,713,410	715,316
Personal Property Registration	2,774,973	2,488,670	286,303
Land Titles — Calgary	3,875,802	3,402,417	473,385
— Edmonton	4,649,193	4,272,102	377,091
Land Compensation Board	357,415	300,340	57,075
Medical Examiner	2,576,054	3,229,452	(653,398)
Crimes Compensation Board	994,445	648,348	346,097
Public Utilities Board	2,312,438	1,998,776	313,662
Gaming Commission	303,997	278,650	25,347
Total Expenditures	**$105,802,562**	**$ 92,547,102**	**$ 13,255,460**

Table 7

Personnel Services
Selection and Classification Transactions
For Year-End March 31, 1983

Selection Transactions		
	Competitions	242
	Appointments	
	New employees	389
	Promotions	65
	Transfers	112
Total		**566**
Classification Transactions		
	New positions created	133
	Reclassifications	324
	Updates	392
Total		**849**

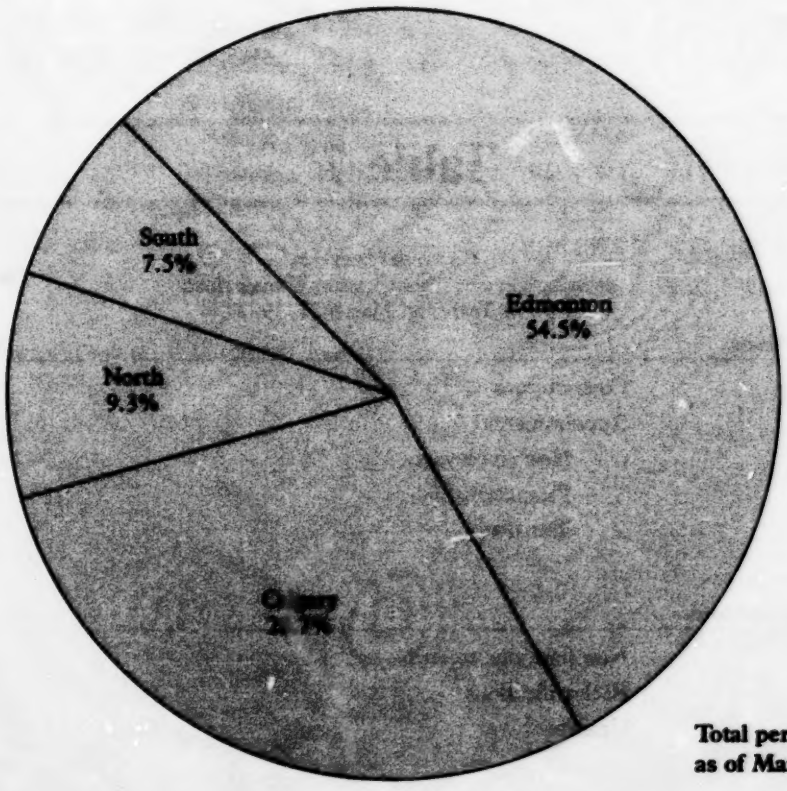
Table 8

Office of the Chief Medical Examiner
Deaths Reported For Year-End March 31, 1983

Manner of Death	Calgary 1982-83	Calgary 1981-82	Southern Rural 1982-83	Southern Rural 1981-82	Total Southern Alberta 1982-83	Total Southern Alberta 1981-82
Natural	664	587	453	466	1,117	1,053
Accidental	61	69	85	81	146	150
Motor Vehicle	64	95	176	233	240	328
Suicidal	121	88	62	63	183	151
Homicidal	24	13	18	18	42	31
Undetermined	45	34	20	9	65	43
Unknown	25	23	20	23	45	46
	—	58	—	19	—	77
Totals	**1,004**	**967**	**834**	**912**	**1,838**	**1,879**

Chart 1

Geographic Distribution of Alberta Attorney General Staff
Year-End March 31, 1983



Total permanent positions as of March 31, 1983: 2,522

Edmonton		Northern Rural		Total Northern Alberta		Total Provincial	
1982-83	1981-82	1982-83	1981-82	1982-83	1981-82	1982-83	1981-82
865	751	382	321	1,247	1,072	2,364	2,125
98	87	139	110	237	197	[illegible]	[illegible]
97	134	183	256	280	390	520	718
108	103	97	105	205	208	[illegible]	[illegible]
22	25	18	9	40	34	82	65
88	87	45	24	133	111	198	156
22	18	18	15	40	33	85	79
—	66	—	61	—	127	—	204
1,300	1,271	882	899	2,182	2,170	4,020	4,049

Acts Administered By The Attorney General

Administration of Estates Act
Administrative Procedures Act
Age of Majority Act
Alberta General Insurance Company Act
Alimony Orders Enforcement Act
Animal Protection Act
Arbitration Act
Assignment of Books Debts Act
Bills of Sale Act
Blind Persons' Rights Act
Builders' Lien Act
Bulk Sales Act
Chattel Security Registries Act
Commissioners for Oaths Act
Conditional Sales Act
Contributory Negligence Act
Court of Appeal Act
Court of Queen's Bench Act
Criminal Injuries Compensation Act
Dangerous Dogs Act
Daylight Saving Time Act
Defamation Act
Department of the Attorney General Act
Devolution of Real Property Act
Domestic Relations Act
Dower Act
Alberta Evidence Act
Execution Creditors Act
Exemptions Act
Expropriation Act
Extra-Provincial Enforcement of Custody Orders Act
Factors Act
Family Relief Act
Fatal Accidents Act
Fatality Inquiries Act
Fraudulent Preferences Act
Frustrated Contracts Act
Garagemen's Lien Act
Gas Utilities Act
Guarantees Acknowledgement Act
Innkeepers Act
Interpretation Act
Intestate Succession Act
Judicature Act
Jury Act
Justices of the Peace Act
Land Titles Act
Landlord's Rights on Bankruptcy Act
Law of Property Act
Legal Professions Act
Legitimacy Act
Limitation of Actions Act
Alberta Lord's Day Act
Maintenance Order Act
Married Women's Act
Masters and Servants
Matrimonial Property Act
Mechanical Recording of Evidence Act
Minors' Property Act
Notaries Public Act
Oaths of Office Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Petty Trespass Act
Police Act*
Possessory Liens Act
Proceedings against the Crown Act
Provincial Court Act
Provincial Court Judges Act
Public Inquiries Act
Public Trustee Act
Public Utilities Board Act
Queen's Counsel Act
Reciprocal Enforcement of Judgements Act
Reciprocal Enforcement of Maintenance Orders Act
Regulations Act
Revised Statutes 1980 Act
Road Building Machinery Act
Sale of Goods Act
Seduction Act
Seizures Act
Summary Convictions Act
Surrogate Court Act
Survival of Actions Act
Survivorship Act
Tort-Feasors Act
Trustee Act
Ultimate Heir Act
Unconscionable Transactions Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Women's Institute Act
Woodmen's Lien Act

*Jointly administered by the Solicitor General and the Attorney General

POOR

QUALITY

ORIGINAL